IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.10564 of 2008
ASUK @ ASIF & ANR
Versus
STATE OF BIHAR
WITH
Cr.Misc. No.11813 of 2008
SHAHNAWAZ CHAND @ SHAHNAWAZ @ CHAND MOHAMMAD
Versus
STATE OF BIHAR

4/ 11.07.2008 Heard learned Counsel for the petitioners and learned Counsel appearing on behalf of the State.

Since both the above bail applications have arisen out of one Kochadhaman P.S. Case No. 71 of 2005 they have been heard together and are being disposed of by this common order.

The case related to dacoity in the night of 23/24.11.2005. In that dacoity the dacoits looted away a number of articles and killed the informant's father and one Resho/ Rishideo was also found dead.

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Submission is that the petitioners are not named in the First Information Report and nothing has been recovered from their possession. Their names have come at the behest of confessional statement of co-accused. Further submission is that three persons and others have faced the trial i.e. trial no. 689/2006 and no witnesses have supported any part of their role so they have acquitted vide judgment dated 21.07.2008 by Additional Sessions Judge, F.T.C. No. 2 Kishanganj in Sessions Trial No. 689 of 2006.

Considering the facts and circumstances of the case, the petitioners Asuk @ Asif and Kaiser in Cr. Misc. No. 10564 of 2008 and Shahnawaz Chand in Cr. Misc. No. 11813 of 2008 are ordered to be

released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 71 of 2005.

kksinha/ **(Shyam Kishore Sharma, J.)**

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